

# The Generic Pesticide Management Plan Fact Sheet

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## Purpose and Goals

The purpose and objectives of the developed Pesticide Management Plans are:

1. To balance ground water protection with the needs of the agricultural industry as it relates to specific pesticide uses;
2. To protect ground water quality related to specific pesticides of concern; and
3. To provide on-going guidance and direction for pesticide use in a clear and concise manner that can be adapted as new information is developed for incorporation over time.

## Background

In October 1991, EPA published the *Pesticides and Ground Water Strategy*. This strategy was based on the authorities of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). In June 1996, EPA published the proposed Pesticide Management Plan (PMP) rule in the *Federal Register*. The proposed rule lists atrazine, alachlor, metolachlor, simazine and cyanazine as the first five pesticides that will require PMPs. Subsequently, all product registrations for cyanazine, previously included in the proposed rule, were canceled as of Dec. 31, 1999 (65 FR 771).

The purpose of the strategy and rule is to provide a way for states to continue to use pesticides that EPA has determined to pose a risk to ground water from normal, legal use in a manner that is protective of public health and the environment. The strategy calls for each state to develop individual PMPs for each pesticide named in the rule. **Without an approved PMP in place for each specific pesticide, current labeled uses of that pesticide will no longer be allowed.** In Washington State, the Department of Agriculture is the lead agency for ground water protection related to pesticide use and therefore is the agency charged with the development of both a Generic and Pesticide-specific Management Plan(s).

## Generic Pesticide Management Plan

Generic PMPs are voluntary. They are considered a blueprint for developing pesticide-specific PMPs. Generic PMPs have no regulatory authority, however EPA is making a strong push for states to complete and submit Generic PMPs as soon as possible. In anticipation of final approval of the rule, 26 states and two

tribes have developed "generic" pesticide management plans. Currently, Idaho and Washington have completed draft Generic Plans. Examples of approved Generic Pesticide Management Plans can be viewed at:

Illinois	<a href="http://www.agr.state.il.us/pdf/warrenspmp.htm">www.agr.state.il.us/pdf/warrenspmp.htm</a>
Indiana	<a href="http://www.isco.purdue.edu/psmp/fulldoc.pdf">www.isco.purdue.edu/psmp/fulldoc.pdf</a>
Minnesota	<a href="http://www.mda.state.mn.us/APPD/ace/pmpdoc.pdf">www.mda.state.mn.us/APPD/ace/pmpdoc.pdf</a>
Nebraska	<a href="http://www.agr.state.ne.us/division/bpi/pes/gsmp.pdf">www.agr.state.ne.us/division/bpi/pes/gsmp.pdf</a>
Texas	<a href="http://www.tnrcc.state.tx.us/admin/topdoc/sfr/070_01.pdf">www.tnrcc.state.tx.us/admin/topdoc/sfr/070_01.pdf</a>

### **Pesticide Specific Management Plan(s)**

Pesticide-specific management plans will be based on the blueprint provided in the Generic Plan. Pesticide-specific PMPs can only be required by developing and publishing federal regulations in the *Federal Register*. Pesticide-specific PMPs can affect how a pesticide is used. If EPA determines a pesticide requires more management, states will be required to develop a pesticide-specific PMP or lose use of the pesticide in the state.

### **Generic Plan Development in Washington State**

As the national process progressed, WSDA, the state lead agency for the PMP process, began writing the generic PMP draft and planning for pesticide-specific plans. The draft Generic Plan was developed based on an EPA guidance document, the 12 major elements of which each state must meet in order to have a Generic Plan approved.

In 1996, the first draft of the plan was circulated to Washington State agencies and submitted to EPA Region 10. In 1997 the WSDA-Water Quality Protection Program was formed and in 1998 EPA began a regional review of the agency's draft generic plan. In 1999, Water Quality Protection Program staff received EPA comments from the regional review and committed to updating the generic plan and resubmitting the revised version in December 2000. Revisions to the December 2000 version were completed in the spring of 2002. Further revisions were completed and reviewed by EPA in April 2003.

WSDA, has elected not to submit the draft Plan to EPA for final approval until a collaborative stakeholder input process has been completed. This process will include numerous workshops and informational meetings and a small pilot project designed to test the "workability" of the draft Generic Plan. This pilot will

be conducted by WSDA with review input from a stakeholder advisory committee comprised of key representatives of the agricultural community. WSDA will encourage comment on the document and fully anticipates that the current draft generic plan will be modified based upon significant stakeholder input.

## **Why Develop a Generic Plan?**

### ***Addressing Federal Mandates***

The development of a Generic Plan provides an established framework on which to base future pesticide specific management plans. This allows the State to develop specific management plans in a timely manner in order to maintain use of the four-targeted pesticides as well as any subsequent pesticide EPA may determine to be a public health or environmental risk.

The Generic Plan provides stakeholders, WSDA, and EPA with a well defined public process to determine public health, environmental and financial impacts of maintaining or not maintaining specific pesticide use.

In addition to addressing ground water protection aspects of FIFRA, the Generic Plan (and subsequent pesticide specific plans) is viewed by EPA as an important tool in achieving compliance with the federal Safe Drinking Water Act (Source Water Protection) and the protection of public health.

### ***Addressing State Mandates***

The draft Generic Plan presents a realistic approach to addressing all pesticide occurrences in ground water, and provides the agricultural industry a degree of certainty regarding how current and future occurrences will be managed.

The draft Generic Plan includes provisions to assess whether the prescribed application of a pesticide poses a risk to groundwater, to monitor pesticide levels in groundwater, and to protect groundwater from contamination through the adoption of various management practices rather than relying on regulatory actions currently in-place in state public health and environmental protection statute and regulation.

## **Key Elements of the draft Generic Plan**

### **Basis for assessment and planning**

WSDA has worked cooperatively with the US Geological Survey to develop an assessment method that will provide an indication as to where in the State a pesticide is most likely to occur in ground water. The draft Generic Plan focuses efforts on those areas, rather than the State as a whole in order to make the best use of resources available. The factors considered in the assessment include

but are not limited to: soil type, rainfall or irrigation application, chemical characteristics, application timing and methods.

Following the results of the assessment, the draft Generic Plan calls for the review of all historical data that may indicate whether a certain pesticide has been detected in ground water in the past.

### Monitoring

Depending on the likelihood of occurrence (based on assessment results) or historical presence of a pesticide, the draft Generic Plan calls for some ground water monitoring in order to confirm or deny the presence of a pesticide in ground water. Monitoring is considered extremely important, since any further actions called for in the draft Plan, must be based on current, scientifically sound data, rather than computer models or “out of date” historical data.

The draft Generic Plan calls for monitoring to be accomplished in a cooperative manner that involves landowners, registrants, conservation districts, and WSDA.

### Response to detections (This part needs to be reviewed by stakeholders)

If a pesticide(s) are detected in ground water the draft Plan proposes implementation of the following response matrix. The rationale behind this matrix is to implement a stepwise approach to reducing and ultimately eliminating pesticides in ground water. The matrix **does not** focus on individual farms, but rather is designed to address **area-wide** occurrences of pesticides in ground water, and achieve (when possible) a balance between use and the protection of public health and the environment.

DETECTION LEVEL 1	RESPONSE
At or above the analytical detection limit yet below 20% of the Ground Water Quality Criteria or if no criteria exists then default to PQL	<ol style="list-style-type: none"> <li>1. Notify well owner(s) of detection.</li> <li>2. Educate pesticide applicators within area.</li> <li>3. Evaluate use practices, soils, geology, and vulnerability* within vicinity of site.</li> <li>4. Review state records for previous point source or potential FIFRA violation concerns.</li> <li>5. Evaluate existing monitoring data or retest within area to check for previous detections and trends.</li> <li>6. Conduct timely outreach in local area applicable to relevant data and information.</li> <li>7. Determine enforcement limit based on human health and/or environmental risks.</li> </ol> <p>* Vulnerability of area and review of historical data may have previously occurred as a result of general assessment activities.</p>
DETECTION LEVEL 2	
Detection at 20% to less than 50% of the enforcement limit	<p>(In addition to 1 through 7 above)</p> <ol style="list-style-type: none"> <li>8. Monitor additional wells in the upgradient and downgradient area.</li> <li>9. Conduct additional monitoring over time.</li> <li>10. Work with registrant, producers and applicators to determine source.</li> <li>11. Initiate BMPs on a voluntary basis.</li> <li>12. Evaluate BMPs.</li> </ol>

<b>DETECTION LEVEL 3</b>	
Detection at 50% to less than 75% of the Ground Water Quality Criteria or Narrative Standard	(In addition to 1 through 12 above) 13. Initiate mandatory BMPs as needed. 14. Install monitoring wells if resources are available. 15. Initiate effectiveness monitoring related to BMPs . 16. Monitor quarterly for determination of seasonal trends and fluctuations in concentrations. 17. Re-evaluate 18. Assist homeowner with health information and alternatives for attaining a safe water source if needed. 19. Obtain financial and technical assistance from pesticide registrant.
<b>DETECTION LEVEL 4</b>	
Detection at 75% to 100% of the Ground Water Quality Criteria or Narrative	(In addition to 1 through 19 above) 20. Implement Site Specific Permitting 21. Establish Use Prohibition Area(s). 22. Determine effectiveness of regulatory actions. 23. Initiate enforcement action if source can be determined

Working groups composed of representatives from state agencies, farmers, industry, environmental groups and others will assist in the development of pesticide-specific state management plans. This draft Generic Pesticide Management Plan will provide general guidance, and allow the flexibility needed to develop pesticide-specific management plans that are both environmentally responsible and economically and socially realistic. The challenge will be to write pesticide-specific plans that protect ground water, meet EPA criteria, and can be implemented with available state resources.

#### Public awareness and participation

In the development of the pesticide-specific management plans, advisory work groups will be assembled with representatives from each of the affected areas including commodity groups and environmental representatives. These work groups will include local representatives in the effected areas of the state. Subsequent best management practices and requirements developed by these work groups and approved by WSDA will be documented and will be disseminated through PMP workshops around the state.

The decision as to which pesticide-specific management plans WSDA will develop will also involve public participation. Under the proposed federal PMP rule, if WSDA chooses not to develop an EPA-mandated PMP for a specific pesticide, its sale and use would be illegal in the State on the effective date of the federal rule. Therefore, WSDA will develop a mechanism that ensures affected and interested parties will have an opportunity for input to WSDA's decision on whether or not to develop federally mandated PMPs.